

Town of Middlesex

Regular Meeting

September, 12 2024

Present: David Adam, Supervisor
Leon Button, Council Member
Paul Mitchell, Council Member

Also Present: Patrick Grimaldi , Tax Assessor
Amberle Kelly, Historian
Ed Bronson, Yates County Legislature
Dawn Kane, Code Enforcement Officer
Wayne Dunton
Bruce St. Lawrence – Town Engineer
Townspeople:

Bill Bruce, Steve Chatterton, Jim Spelman, Scott Snyder, Patti Nolletti, Diane Cerrone, Jow McCue, Steve Cerrone

Absent: Austin Liddiard, Council Member
Stephanie Betts, Council Member
Josh Burnett, Highway Superintendent

Recording: Rebecca Moore, Town Clerk

Call to Order/Pledge

Supervisor Adam called the meeting to order at 7:03 PM at the Town Hall, 1216 State Route 245, Middlesex NY. He led the Pledge of Allegiance.

Open Public Comments:

Boat Creek Flood Restoration Project proposal:

Steve Cerrone – residence of Middlesex presented a slide show to discuss the Boat Creek Flood restoration Project, that is directly due to the flooding that occurred on August 9th – Boat Creek received 2-4 inches of rain overall on the 9th and around noon, the creek started overflowing, which effected 50 homes with flooding. In nine years, the residence have never seen flooding events like this. In the past, there has been minor issues, nothing like the damage created up by boat launch and up by Indian village. Slide show of flooding presented (requesting to forward slideshow to Town Clerk, Rebecca Moore for filing and future FOILs). Steve Cerrone explains their community of 50 homes came together to clean up piles of debris on Saturday, August 10 and Sunday August 11. During their clean up, they quickly realized the main issue was a blockage of the creek near the opening at the lake. Once the blockage was discovered, the community decided to start making calls. First call was to Middlesex Town to see what actions were being taken. Second call was to Kevin Olvany, at Ontario Watershed and per Steve Cerron, Kevin Olvany gave permission to break the blockage to prevent further damage and/or flooding. Prior to just breaking the blockage, Steve Cerron called the DEC in Avon. DEC sent out 2 people out to look at the blockage. DEC agreed to free up the creek and they provided a Deputy permit in writing that gave them permission to clear the debris and blockage in the creek via “snag and drag”. The community decided to get into the creek and clear the blockage (2 sat thereafter 8/23-8/24) Supervisor Adams went out to the site and did a walk through. Steve Cerron was hoping the town would be able to clear the blockage and Supervisor Adams exclaimed the Town couldn’t clear the blockage as if we, the town, did for them; we would have to for others, and this is technically not a town owned creek. It is privately owned by the community. As a result of the opening at the lake being filled with sediment and gravel, the opening into the lake from the creek is obstructed and has created the creek to be higher now (previously 3-4 feet deep is now a few short inches) and the sides are eroded and there are big stones and railroad ties in the middle of the creek vs the sides. The creek will not be able to handle any further rain events due to the mouth of the creek is too high compared to what it used to be. Yates Ethan Hall soil and water county walked through and discussed the problems as well. Steve Cerron states that they need to get all agencies on board and come up with a plan. Their community is proposing to deepen the creek and correct the creek opening into the lake. Steve is looking to the Town for the ‘who’ can assist moving forward and correct the issue.

Steve Chatterton – former president of their community – checked his own flood zone and was told it’s a design flaw across the entire county that created the flood issues. Their community is rated for 1 in 100 flood zone, however, 2 times in 9 years. Looking for help as they cannot do anything without high fines from the DEC. Steve Chatterton reports they are still shoveling sediment, still to this day, 09/12.

Jim Shelman – home in Vine valley- reports high erosion has created an issue with water coming down Bear hill. County put in a pipe on East Lake Road and excavation up vine valley road. However- there were no further down the hill corrections made so there are issues with the water coming down the north side of the road and flows into an open creek and then into an additional pipe. The purpose was to slow down water, however, that didn’t happen. During the Creek flooding, the leach fields flooded, and this creates the issue of potential sewage into the lake with current and further flooding. Jim Shelman is asking for Yates County to reevaluate the pipe and the actual grade of the land from the top of the hill down to the lake. Their community is looking to be more involved with the town to figure out what the Town can and cannot do vs Yates County.

Ed Bronson – Yates County legislator representative asked the townspeople if they called the Yates County at all? The short answer, yes. Supervisor Adams was also in contact with Josh, The Highway Superintendent. Josh tried to take Yates County where the town was affected, and Josh was told they wouldn't look at it because its private property. Ed Bronson mentioned Yates County has put in for FEMA, it's not approved yet, still waiting. Soil and Water board as well and has been told 42 million is coming. Ed is proposing to add this to the project for the 42 million.

Supervisor Adams asked if there were any further public comments? All present said no

Close public comments at 7:28PM

Tax Assessor- Patrick Grimaldi

2025 Revaluation Assessment is currently being working on

State has changed some STAR on some people, still looking into the WHY (supposed to sign up for the STAR program by March in order to apply...this is SOME people's issues – missed deadline)

Highway/Buildings/Grounds- Josh Burnett

Clean up days went well. There were 27 tons total.

Haul crusher run for stock pile

Hauled 20 loads of milling from the County

Paved South Vine Valley Road as well as put shoulders on Hadsell and South Vine Valley Road.

Stone and oil (SLR, Hadsell, Gray and Loomis)

Continuing to mow roadside and clean up storm debris from various spots throughout the town.

Upcoming weeks will be filled with mowing and continuing to clean up ditches as well as 1500 SLR wall.

Roller update: Still trying to diagnose the fuel pressure issue.

It was asked if we can get the rental money for the rental roller back under the warranty. They were not sure and would look into it.

Town Engineer- Bruce St. Lawrence

1500 South Lake Road -Section of the bank went down 12-18 inches. Pavement is holding up, but Bruce was able to get people to come in to get this fixed, which will be starting Monday 9/16

Excavator coming tomorrow, 9/12, to clean up on Monday the shelf that was created. 5 or 6 site – access limited, a subsidiary doing the work in Ontario County

Following week on Tuesday, 09/24, to finish the project (whole project delayed a week) 30 yards total \$119 a yard (about \$700+ in material)

Bruce St. Lawrence – Town Engineer met with Josh Burnett, Highway, and FEMA at 1500 South Lake Road site, and FEMA said this is what they want to see, and they want to be proactive. Looking to get FEMA grant completed. Ryan Baily works at the County, and he said overall amount was submitted \$125K Middlesex alone, total for flooding repair overall. Once grant is submitted, all background is to be submitted and fill out spreadsheet to obtain FEMA grant.

Driveway laws are very loose and with all the driveways being putting in on South Lake Road, it will create further issues with future flooding. 75% of the water went down the road because they put a cross slope in the end of driveways. There are no permit requirements for asphalt work, which is creating issues with flooding further down the road.

Code Enforcement Officer- Dawn Kane

Beach is closed for the season. Dock will be in for another month or so.

Building and code are both very steady. Site planning has a LOT of applications. Going to be short on members at the end of the year, due to retirement – looking to recruit people

Library – setting up bylaws and policy and should have all set my next month to share

Dawn met with Kevin and health department due to the worries with the trailer park and health issues. They are planning on moving trailer back from the creek. The trailer park owns the creek in willow grove.

Historian - Amberle Kelly

Working on the Dan Robinson Grant, to get photographs restored

8/31 Seneca Day – it was a great turn out

Working on Wreaths across America foundation – 12/14 is the wreath laying ceremony. They will be looking for volunteers to lay wreaths

Conference attendance request: Conference in Syracuse, 9/20-9/21 looking to attend. Registration fees total \$265.00 – requesting to go with approved. It is confirmed the \$265.00 is already in the historian budget. Additional costs to the registration fee will be gas and thruway expenses. No hotel room required, as Amberle plans on driving back each night. To which is also confirmed in the historian budget. This was APPROVED for Amberle Kelly to attend (it's a good way to bring in revenue in the future)

Yates County legislator - Ed Bronson

Highway dept building is making good progress and the natural gas and electric is turned on. Confirmed it is coming in on budget

Extra millings avail \$100.00 a load

Approves workers comp budget 2025

Appointed a new defender

Yates county broadband project is making progress and they are looking to start the end of this year, 2024

County has a grant to improve septic systems if you live 300 feet from the lake – 10k of 50% of the project to repair- planning department will send out 2500 letter to people who qualify in Keuka, Canandaigua, Seneca areas. In case anyone calls to ask if they will be included in the grant, refer to the planning board – Jeff Ayers.

Town Clerk – Rebecca Moore

Website

- Town Board meeting agenda drafted and uploaded to website yesterday, 09/11
- I emailed Pat, Dawn and Josh for updates on their sections of the website
 - Highway will get some upcoming projects to me to update
 - Assessor will be getting the 2025 Revaluation Assessment to me once completed to update (currently 2021)
- Community calendar was updated with known Sept Veteran's events on Tuesday 09/03

Revenue 08/01 – 09/12

- 9 dog license renewals
 - I mailed August and Sept dog renewal notices and ALL of Aug is completed!
- 2 NEW dog licenses
- Cleaned up 5 'renewal' dog licenses – updated the system that the pet is gone or moved out of area
- 1 marriage certificate
- Updated 5 building permits

Board Meeting Minutes

- The resolution numbers for the July minutes are incorrect. Resolution after 58-24 for Authorized purchase of pads and batteries for AED is the last resolution that is numbered correctly. There are FOUR resolutions skipped in the number sequence – requesting to update the resolution numbers so they match the correct order and match up with Augusts resolutions (drafted, just not published until July meeting minutes are approved for updates)
- See completed 2024 resolution list

David Adam, Supervisor

Budget season – had the budget workshop and went back through budget and presented for it to be looked at. We are 15,000 from the 2% tax cap that we can be at. In the fire and protection, the fire and ambulance weren't increased. The percentage on the side, there can be some massive percentages, that major swing is because Dave took out some differences that haven't been used

and moved to another section. Pay more attention to the dollar amounts vs the percentages. Town board highlight, increase doesn't mean the town members are getting a pay increase, it means in the past, there was less than what was needed so it was moved up a bit with a little wiggle room.

Budget timeline

- Share the DRAFT budget with each administrative (on or before 09/20)
- We will need to present to board members **NO LATER than 10/03**
 - Board to make revisions prior to 10/08
 - Requesting to announce a public Budget meeting on November 14th
 - (Public announcement must be FIVE days before public meeting (to not include weekends, minimally, 11/08)

Open for public comments @ 2026 - NONE Closed Public Comment @ 2026

RESOLUTIONS:

Resolution # 68 -24

Amend July 11th board minutes to correct resolution sequence order

On a resolution by Council Member Leon– seconded by Council Member Paul, the following resolution was adopted:

ADOPTED: Ayes 3 Adam, Button, Mitchell

Nays 0

Resolution # 69-24

Audit claims

On a resolution by Council Member Paul– seconded by Council Member Leon, the following resolution was adopted:

ADOPTED: Ayes 3 Adam, Button, Mitchell

Nays 0

Executive session called into order by Council Member Leon– seconded by Council Member Paul @ 2028 - recorder Rebecca Moore and any others except Board members left the room: David Adam, Paul Mitchell and Leon Button

Council Member Paul makes motion to exit executive session and Council Member Leon seconded @ 2039

Executive session Resolution # 70-24

Council Member Leon makes motion to increase Zach, highway department employee, salary effective Mon 9/9 by \$1.27

On a resolution by Council Member Leon– seconded by Council Member Paul, the following resolution was adopted:

ADOPTED: Ayes 3 Adam, Button, Mitchell

Nays 0

Adjourn

With no further business to discuss, a motion was made by Council Member Paul, with all in favor to adjourn the regular meeting of the Town Board of the Town of Middlesex at 2041 PM.